

BY AUTHORITY

ORDINANCE NO. **3919**

COUNCILLOR'S BILL NO. **6**

SERIES OF 2018

INTRODUCED BY COUNCILLORS
Seitz, De Cambra

**A BILL
FOR AN ORDINANCE MAKING REVISIONS TO CHAPTERS 2 THROUGH 5 OF TITLE XI
OF THE WESTMINSTER MUNICIPAL CODE**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Section 11-2-1(A), W.M.C., "Definitions" is hereby AMENDED by the addition of the following defined terms:

"Affordable housing" shall mean a new proposed residential development consisting of any combination of single-family attached, single-family detached, and multi-family dwelling units, regardless of the age of occupants, provided that 50 percent or more of the units serve households earning from zero to 80 percent of the regional Area Median Income (AMI) as defined by the Department of Housing and Urban Development (HUD).

"Comprehensive Plan" shall mean the current municipal planning document(s) adopted pursuant to City Charter Section 4.16 and Title 31, Chapter 23, C.R.S.

"Land Use Plan" shall mean a component of the Comprehensive Plan consisting of descriptions of land use categories; statements of land use policies; and a geographical depiction of the placement of land uses within the City and sphere of influence areas.

"Planning Manager" shall mean the member of the Department of Community Development charged with administering the Comprehensive Plan and its implementation.

"Pre-application meeting" shall mean a meeting between City staff and an applicant regarding the land development process, contact information, applicable codes, applications and fees.

"Residential Design Standards" shall mean the adopted minimum criteria for new single-family attached, single-family detached, senior housing and multi-family residential development.

"Senior housing development" shall mean an attached, multiple-unit residential project for persons 60 years of age or older and may include the following types of facilities:

Government-sponsored senior housing and non-profit senior housing: Government-sponsored senior housing projects provided by non-profit section 501(c)(3) organizations as defined by the federal government. Said projects must be approved by the City Council. Such projects shall be subject to the provisions contained in Subsection 11-3-6, W.M.C. Service requirements for said projects shall be reviewed individually, and service commitments shall be awarded on an individual basis by City Council action at the time of approval of an official development plan; or

Non-government sponsored for-profit senior housing:

(1) *Assisted living and long-term care facilities:* shelter and services for frail elderly who are functionally and/or socially impaired and in need of 24-hour supervision. Services must include, as a minimum, environmental security, transportation, housekeeping, social activities, laundry and meals. "Long-term" implies residency of longer than 100 days.

(2) *Congregate care*: shelter for elderly who may need limited assistance but do not need 24-hour supervision. Services must include, at a minimum, environmental security, transportation, housekeeping, social activities, laundry and meals.

(3) *Independent living*: multi-family housing targeted specifically to seniors who are functionally and socially independent. Services must include, at a minimum, environmental security, transportation, housekeeping and social activities.

A senior housing development does not include single-family detached housing products that have age restrictions.

“South Westminster Residential Project” shall mean a residential project located south of 80th Avenue in the City of Westminster that meets all applicable design criteria for such projects.

Section 2. Section 11-2-1(A), W.M.C., “Definitions” is hereby AMENDED by the revision of the following defined term:

“Service commitment” shall mean that the measure of City service required is determined by the average service provided to one single-family detached dwelling unit. Calculation of a service commitment for a structure shall be determined in accordance with the following schedule:

<u>Single-family detached dwelling unit or mobile home unit</u>	<u>1.0 service commitment</u>
<u>Single-family attached dwelling unit</u>	<u>0.7 service commitment</u>
<u>Multi-family dwelling unit</u>	<u>0.5 service commitment</u>
<u>Attached senior housing unit</u>	<u>0.35 service commitment</u>
<u>Non-residential—To be determined on a case-by-case basis, based upon the specific plan presented.</u>	

Section 3. Title XI, Chapter 3, W.M.C, is hereby REPEALED AND REENACTED to read as follows:

CHAPTER 3. COMPREHENSIVE PLANNING AND GROWTH MANAGEMENT

11-3-1: Findings:

(A) Westminster City Charter, Section 4.16, authorizes planning for the use, division and development of land for the general purpose of protecting the public health, safety and welfare, and further that the City is authorized by Part Two of Title 31, Chapter 23, C.R.S., to make, adopt, amend, extend, add to, or carry out a master plan for the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the municipality.

(B) The adopted Westminster Comprehensive Plan serves as the official policy document of City Council and Planning Commission providing a consistent statement of the City’s plan and policies for future development to bring about the city’s vision for the future.

(C) A growth management program that balances growth and the ability of the City to effectively and safely absorb and serve such growth is essential for the preservation of the health, safety and welfare of the citizens of Westminster.

(D) The provision of municipal services, which relate to the quality of the environment, fiscal soundness, carrying capacities of the utility and transportation systems and other related elements that affect residents of the City, will be negatively impacted by uncoordinated growth within the City if prudent growth management practices are not administered by the City that take into account the following elements:

(1) The City is nearing its physical build-out and little vacant land remains for development;

(2) Future development will rely on existing infrastructure and resources, planning for which needs to be closely tied to land uses and development intensity in order to provide adequate public services and maintain quality of life;

(3) The specificity of the Comprehensive Plan ensures that new development occurs in desired areas and in concert with the city's vision and infrastructure capacity;

(4) The overall mix and quality of land uses and development impact the city's economic and fiscal base;

(5) High quality design enhances the public realm and livability of the City's neighborhoods with elements that contribute to a safe environment and stable property values; and

(6) Maintaining and improving the City's physical and visual composition contributes to the quality of life and economic vitality of the community.

11-3-2: Adoption, Implementation and Compliance with City's Comprehensive Plan:

(A) Adoption of Comprehensive Plan:

(1) A Comprehensive Plan ("the Plan") for the City and any City-initiated amendments thereto shall be referred to the Planning Commission for consideration, and a public hearing shall be scheduled. Notice of the hearing shall be given at least ten days prior to the hearing, such notice to state the date, place, and time of such hearing, and where copies of the proposed Plan may be reviewed prior to the hearing. Notice shall be published once in the official newspaper of the City.

(2) The Planning Commission may consider separate sections of the Plan at different hearings over a period of time, and such hearings may be continued from time to time to allow a thorough review by the Commission and the public.

(3) Within 30 days of taking action, the Planning Commission shall submit its written report and recommendation on the proposed Plan, or its individual sections, to the City Council.

(4) Upon receipt of the report, the City Manager shall schedule a public hearing upon the Plan or its sections before the City Council. Notice shall be given at least four days prior to the hearing, in the same manner as required in subsections (B)(1) and (B)(2), above. The Council may consider separate sections of the Plan at different hearings over a period of time, and such hearings may be continued from time to time to allow a thorough review by the Council and the public.

(5) After public hearing and consideration of the recommendations of the Planning Commission, the City Council may, by ordinance, adopt the proposed Plan or any of its sections, or the City Council may adopt sections of the Plan and reject others, or may send the Plan or any sections of it to the Planning Commission for further review and public comment.

(B) Approval Criteria

(1) Plan Contents. The City Council shall evaluate the plan's contents to determine that the following criteria are met:

(a) The plan identifies goals that are consistent with adopted city policies, plans and regulations;

(b) The plan is appropriate for future consultation and reference by the City Council, departments, boards and commissions;

(c) Comments and recommendations from pertinent city departments and referral agencies have been considered; and

(d) Issues raised by stakeholders that are outside of the city's jurisdiction have been identified.

(2) Planning Process. The City Council shall evaluate the planning process to determine that the following criteria are met:

- (a) The public was afforded opportunities to participate in the development of the plan;
- (b) Appropriate municipal departments and referral agencies have reviewed the plan;
- and
- (c) The Planning Commission has properly considered the plan.

(C) Compliance with the Plan:

(1) On and after the effective date of the ordinance adopting the Comprehensive Plan, or any section of it, it shall be unlawful for any person to use any parcel of land in any manner not in compliance with the adopted Plan or any of its sections.

(a) This subsection shall not apply to a use established prior to the effective date of the ordinance adopting the Plan or any of its sections. "Established" prior to the effective date shall mean that structures or improvements necessary or customary for the use were complete and occupied or ready for occupancy prior to the effective date, or that the structures or improvements were substantially in construction under a valid and unexpired building permit prior to the effective date.

(b) Any property owner who wishes to change the established use of a parcel shall comply with the Plan at the time such use is changed or the property is substantially redeveloped.

(2) The Planning Manager is authorized to determine whether the use of any parcel is, or is not, in compliance with the Plan. The owner of an affected parcel may appeal the decision of the Planning Manager to the City Manager. The City Manager or his designee shall conduct an informal meeting in which the Planning Manager and the owner may express their views. The City Manager or his designee shall consult with the City Attorney's office prior to the informal meeting. The City Manager shall decide the issue within a reasonable time and notify the owner in writing. Decisions made by the City Manager shall be maintained in the records by the Community Development Department.

(D) Land Use Plan Amendments

(1) The City may, from time to time, initiate the amendment of the land use plan of the Comprehensive Plan for any parcel. Any proposed amendment shall be reviewed and adopted, after notice and public hearing, as required in Section 11-5-13, W.M.C.

(2) The owner of a parcel may request an amendment of the land use designation of the Comprehensive Plan only as to the parcel owned by him/her. Amendments shall be considered as described in Section 11-5-21, W.M.C.

(E) Enforcement:

(1) After the effective date of the Plan or any of its sections, any use, or construction for such use, other than an established use as defined in Section 11-3-2(C), W.M.C., not in compliance with the adopted Plan or any of its sections, is hereby declared to be a public nuisance that may be abated pursuant to the procedures for public nuisances established elsewhere in this Code.

11-3-3: Urban Design:

The City of Westminster has created and adopted by reference Residential Design Standards to establish criteria for new residential buildings, dwellings, and site development. These standards are intended to establish quality appearance, compatibility of character, variety of design, and enhanced community values. In addition to minimum criteria, electives are also associated with points, of which a minimum number must be chosen to further enhance sound residential planning, architectural quality and landscape design.

Retail Commercial and Traditional Mixed Use Neighborhood Development (TMUND) Design Guidelines have also been established with applicability provisions stated therein.

(A) The Residential Design Standards shall apply to all new residential buildings and dwellings and new residential development plans for construction within the corporate limits of the City of Westminster.

(B) All new residential dwelling units and new residential development projects shall comply with all minimum requirements as specified in the Residential Design Standards.

(C) All new residential builders and development applicants and owners shall agree to provide certain elective items listed in the design standards. The total points associated with the chosen elective items shall meet or exceed the minimum number of elective points required for the project's residential category.

(D) Exceptions.

(1) Properties zoned RE, R1, RA, R2, R3, R4 or R5;

(2) South Westminster Residential Projects, as defined, shall comply with all minimum requirements as specified in the Residential Design Standards and shall not be required to agree to any optional elective requirements;

(3) SPD – Specific Plan Districts: New residential dwelling units and new residential projects in Specific Plan Districts shall comply with all applicable design standards established in the SPD Plan; and

(4) Affordable Housing: New residential dwelling units and new residential projects defined as Affordable Housing shall comply with all minimum requirements as specified in the Residential Design Standards and shall not be required to agree to any optional elective requirements.

(E) No Official Development Plan, plat, or construction drawings for a new residential dwelling unit or new residential development project shall be approved by City Staff without full compliance with this Chapter.

11-3-4: Conditions for Building Permit Issuance:

(A) No building permits requiring new utility services shall be issued except in full compliance with the provisions of this Chapter.

(B) Any building permits issued in violation of this Chapter shall be void, provided however nothing in this Chapter shall alter or affect other requirements of Westminster Municipal Coder relative to construction.

(C) Service commitments are considered issued at the time of building permit issuance.

11-3-5: Mandatory In-House Water Conservation:

In-house water conservation shall be mandatory for all structures constructed in the City, as follows:

(A) Residential Standards: All residential plumbing fixtures shall conform to the most recent version of the City's plumbing code.

(B) Non-Residential User Standards: The following conservation standards shall be mandatory for non-residential uses:

(1) All plumbing fixtures shall conform to the most recent version of the City's Plumbing Code.

(2) Car Wash Recycle. Full water recycling systems shall be mandatory for all commercial car wash facilities hereafter constructed in the City, except for self-service car washes.

11-3-6: No Vested Rights:

Nothing herein shall create any vested rights to any service commitments allocated pursuant to this Code until such time as the service commitment is issued and the building permit inspection requirements of Subsection 11-3-5(C), W.M.C., has been satisfied. Prior allocations remain subject to subsequent rescission, reduction, or reallocation by council as they may deem necessary in the public interest.

Section 4. Section 11-4-16, W.M.C is hereby REPEALED.

Section 5. Chapter 5, Title XI, W.M.C is hereby AMENDED to read as follows:

CHAPTER 5. DEVELOPMENT PROCEDURES AND REQUIREMENTS FOR THE APPROVAL OF ANNEXATIONS, REZONINGS, DEVELOPMENT PLANS, AND PLATS.

Section 6. Sections 11-5-7 (A), W.M.C is hereby REPEALED AND REENACTED to read as follows:

11-5-7: Format and Approval Process for Preliminary Development Plans (PDPs):

(A) Application Procedures for PDPs:

(1) Pre-application meeting. No PDP application shall be accepted before the applicant attends a pre-application meeting with City staff. The purpose of the meeting is for the applicant to gather information regarding City policies, codes, standards and procedures. A pre-application meeting shall be scheduled by the Planning Manager upon receipt of a pre-application request in a format specified by the Community Development Department. Any opinions expressed by City staff during pre-application meetings are informational only and do not represent a commitment on behalf of the City regarding the acceptability or approval of the development proposal.

(2) Following the pre-application meeting, the Community Development staff will furnish to the applicant direction on how to proceed with future submittals to the City.

(3) Upon completion of the pre-application process, the applicant shall prepare an application for a PDP in the form and with such information as may be required by the Community Development Director. The application may be provided to reviewing entities for comment and feedback. Any comments and feedback received shall be compiled and provided to the applicant. Additional submittals may be required at the option of the City. Any comments or opinions expressed during application review are informational only and do not represent a commitment on behalf of the City regarding the acceptability or approval of the development proposal.

(4) Following the initial application review, and prior to commencing any additional review of a proposed PDP, the applicant shall complete a neighborhood notification process as specified by the Community Development Department. The City Manager or the Manager's designee may waive this requirement for neighborhood notification, if the Manager determines, based upon the project's likely and foreseeable impacts on the surrounding neighborhood, that no neighborhood notification is required.

(5) Prior to any review of a proposed PDP, the applicant shall provide:

- (a) Written consent of all owners of the property within the proposed PDP;
- (b) Evidence of ownership and encumbrances satisfactory to the City and such other information as may be reasonably required to evaluate the proposed development;
- (c) A non-refundable application fee as specified in the Land Use and Development Review Fee Schedule set forth in Section 11-1-6, W.M.C., shall be paid at the time of application for any proposed ODP.

Section 7. Section 11-5-8 (A), W.M.C is hereby REPEALED AND REENACTED to read as follows:

11-5-8: Format and Approval Process for Official Development Plans (ODPs):

(A) Application Procedures for ODPs:

(1) Pre-application meeting. No ODP application shall be accepted before the applicant attends a pre-application meeting with City staff. The purpose of the meeting is for the applicant to discuss the project concept and to gather information regarding City policies, codes, standards and procedures. A pre-application meeting shall be scheduled by the Planning Manager upon receipt of a pre-application request in a format specified by the Community Development Department. Any opinions expressed by City staff during pre-application meetings are informational only and do not represent a commitment on behalf of the City regarding the acceptability or approval of the development proposal.

(2) Following the pre-application meeting, the Community Development staff will furnish to the applicant direction on how to proceed with future submittals to the City.

(3) Upon completion of the pre-application process the applicant shall prepare an application for an ODP in the form with such information as may be required by the Community Development Director. The application may be provided to reviewing entities for comment and feedback. Any comments and feedback received shall be compiled and provided to the applicant. Additional submittals may be required at the option of the City. Any comments or opinions expressed during application review are informational only and do not represent a commitment on behalf of the City regarding the acceptability or approval of the development proposal.

(4) Following the initial application review, and prior to commencing any additional review of a proposed ODP, the applicant shall complete the neighborhood notification process as specified by the Community Development Department. The City Manager or the Manager's designee may waive this requirement for neighborhood notification, if the Manager determines, based upon the project's likely and foreseeable impacts on the surrounding neighborhood, that no neighborhood notification is required.

(5) Prior to any review of a proposed ODP, the applicant shall provide:

(a) Either the written consent of all owners of the property in the proposed ODP or evidence otherwise satisfactory to the Planning Manager of the applicant's authority to represent the owners of the property;

(b) Evidence of ownership and encumbrances satisfactory to the City and such other information as may be reasonably required to evaluate the proposed development;

(c) A non-refundable application fee as specified in the Land Use and Development Review Fee Schedule set forth in Section 11-1-6, W.M.C., shall be paid at the time of application for any proposed ODP.

(6) All recording fees shall be paid for all plans and plats that have been approved by the City prior to their recording.

Section 8. Section 11-5-10 (A), W.M.C is hereby REPEALED AND REENACTED to read as follows:

11-5-10: Format and Approval Process for Amendments to Official Development Plans (ODPs):

(A) Application Procedures for ODP Amendments:

(1) Pre-application meeting. No ODP amendment application shall be accepted before the applicant attends a pre-application meeting with City staff. The purpose of the meeting is for the applicant to discuss the project concept and to gather information regarding City policies, codes, standards and

procedures. Applicants may propose an amendment to an ODP for all or only a portion of the entire land area within the previously approved ODP, except that an amendment to a residential ODP for an individual single-family lot within a detached single-family housing development that does not meet a criteria for administrative approval described in subsection (B)(1) below, shall proceed under the variance process set forth in Section 2-2-8, W.M.C. A pre-application meeting shall be scheduled by the Planning Manager upon receipt of a pre-application request in a format specified by the Community Development Department. Any opinions expressed by City staff during pre-application meetings are informational only and do not represent a commitment on behalf of the City regarding the acceptability or approval of the development proposal.

(2) Following the pre-application meeting, the Community Development staff will furnish to the applicant direction on how to proceed with future submittals to the City.

(3) Upon completion of pre-application meeting, the applicant shall prepare an application for an ODP amendment in the form and with such information as may be required by the Community Development Director. The application may be provided to reviewing entities for comment and feedback. Any comments and feedback received shall be compiled and provided to the applicant. Additional submittals may be required at the option of the City. Staff review and feedback concerning an ODP amendment shall not be construed as a type of approval or pre-approval of any aspect of the submittal.

(4) Following the initial application review, and prior to commencing any additional review of a proposed ODP amendment, the applicant shall complete the neighborhood notification process as specified by the Community Development Department. The City Manager or the Manager's designee may waive this requirement for neighborhood notification, if the Manager determines, based upon the project's likely and foreseeable impacts on the surrounding neighborhood, that no neighborhood notification is required.

(5) Prior to any review of a proposed ODP amendment, the applicant shall provide:

(a) Either the written consent of the owner(s) of the property in the area proposed for ODP amendment or evidence otherwise satisfactory to the Planning Manager of the applicant's authority to represent the owner(s) of such property;

(b) Evidence of ownership and encumbrances satisfactory to the City and such other information as may be reasonably required to evaluate the proposed development; and

(c) A non-refundable application fee, as specified in the Land Use and Development Review Fee Schedule set forth in Section 11-1-6, W.M.C., shall be paid at the time of application for any proposed ODP amendment.

(6) All recording fees shall be paid for all plans and plats that have been approved by the City prior to their recording.

Section 9. Section 11-5-13, W.M.C is hereby AMENDED to read as follows:

11-5-13: Public Hearings for Land Development Approvals:

(A) The following public hearing procedure shall apply to any application for the approval of a Comprehensive Plan Amendment (property-owner initiated), PDP, amended PDP, ODP, amended ODP, Specific Plan, or Specific Plan Amendment and any zoning or rezoning for which a public hearing is required pursuant to this Chapter. For any City-initiated application, the term "applicant" shall mean the City.

Section 10. Section 11-5-17, W.M.C is hereby AMENDED to read as follows:

11-5-17: Duration of Plan Approvals:

(A) City Council finds that changes to the City's Comprehensive Plan, the City's standards governing land use and site development, and other land use and development policies and regulations may be

warranted over time. City Council further finds that it is in the best interest of the City and its citizens to assure that future land development reflects the best in modern planning, site development, architecture, and other land use considerations. City Council further finds that over time, previously approved Preliminary and Official Development Plans may no longer reflect these interests. City Council therefore finds that it is appropriate to establish a time period for implementing previously approved Preliminary and Official Development Plans, after which such Plans shall be subject to further review and approval by Council, based on then-current standards, policies and development criteria. Nothing in the preceding, however, shall be deemed or construed as exempting any land development from complying with the City's Comprehensive Plan, as required pursuant to Section ~~11-3-2(C)~~~~11-4-16(G)~~, W.M.C.

Section 11. Chapter 5, Title XI, W.M.C. is hereby AMENDED by the ADDITION of a new Section 11-5-21 as follows:

11-5-21: Standards for Approval of Land Use Plan Amendments:

The purpose of this subsection is to establish consistent review procedures and criteria for property owner initiated requests to amend the Land Use Plan pursuant to Section 11-3-2(D), W.M.C.

(A) Submittal and Review.

(1) A pre-application meeting is not required.

(2) Applications for such an amendment shall be made to the Planning Manager, in the form and with such information as may be required by the Community Development Director. At a minimum the owner shall provide:

(a) A completed application in a format established by the Community Development Department.

(b) Payment of required application and public hearing fees.

(c) Property owner signature, and if necessary, the Statement of Authority Form provided by the Department of Community Development.

(d) Statements of compliance with the criteria listed in Section 11-5-21(B), W.M.C.

(e) Traffic impact summary in a format established by the Department of Community Development.

(f) Acreage and legal description of the parcel or parcels subject to the request with lot and block references if contained within a recorded platted subdivision, or if not platted with a property survey, metes-and-bounds description via field notes.

(g) Citizen participation plan describing timing, types and sequence of outreach efforts including a list of property owners who are required to receive notice pursuant to Section 11-5-13(A)(6), W.M.C., and an accurately scaled map using County Assessor's maps identifying the subject site, and the location of the properties to be notified.

(3) The Planning Manager shall arrange for review by applicable City Departments and, as appropriate, outside referral agencies. The Planning Manager shall provide each applicant with comments and the applicant shall be afforded the opportunity to respond to comments and amend the application as needed. Upon satisfactory responses by the applicant to all comments the Planning Manager shall schedule the comprehensive plan amendment(s) for public hearing in accordance with Section 11-5-13, W.M.C. Payment of public hearing fees is required prior to the required notices of hearing established in Section 11-5-13(A), W.M.C.

(B) In reviewing an application for an amendment to the Land Use Plan, the following criteria shall be considered:

(1) The proposed amendment is consistent with the vision, intent and applicable policies of the Comprehensive Plan and other adopted plans, policies and guidelines.

(2) The proposed amendment serves a substantial public purpose and will not be substantially detrimental to the surrounding lands.

(3) The proposed amendment shall consider the nature and degree of impacts on neighboring lands. Individual parcels or groups of parcels shall not be subject to a change in land use in such way that the new designation is substantially inconsistent with the uses of the surrounding area.

(4) The proposed amendment is necessary in order to address substantially changed conditions in the immediate area of the subject tract since adoption of the Land Use Plan or an error contained in that document.

(5) The proposed amendment provides for the orderly physical growth of the city.

(6) The proposed amendment furthers an important public policy, including but not limited to a need for affordable housing, protection of historic resources, preservation of open space, or reduction in water demand by virtue of a different land use category.

(7) The proposed amendment is appropriate in order to address a uniqueness in the size, shape and character of the parcel in relation to neighboring lands. Proof that a small parcel is unsuitable for use as presently designated or that there have been substantial changes in the immediate area may justify an amendment subject to evidence furnished by the applicant.

(8) The proposed amendment will not negatively impact the transportation system, drainage, water and sewer infrastructure, water supply, fire and police services, the parks and open space system, or the City general fund revenue.

(9) The proposed amendment will not negatively impact referral agencies such as the Colorado Department of Transportation, local school districts, the Rocky Mountain Metropolitan Airport, or other agencies pertinent to the location and nature of the requested amendment.

(10) The proposed amendment establishes minimal environmental impacts or has sufficiently mitigated any identified impacts.

(C) Scope of Approval.

(1) The approval of an amendment to the Land Use Plan shall not be deemed to authorize development of land. Such an amendment shall authorize an applicant to apply for additional municipal approvals necessary to develop land. Such amendment does not supersede any requirement for Preliminary Development Plan, Official Development Plan, subdivision plat or other approval required by this Title.

(2) Where City Council has formally taken action to deny a Land Use Plan amendment, no application requesting the identical land use designation on the same parcel or lot shall be considered by the City for a period of one year from the date the previous application was denied by City Council. An applicant may withdraw an application up to the time that it is called forward and the city staff begins presentation of the application during a duly advertised public hearing.

Section 12. State Law Reference Table, W.M.C, is hereby AMENDED to read as follows:

STATE LAW REFERENCE TABLE

This table shows the location within this Charter and Code, either in the text or notes following the text, of references to the Colorado Revised Statutes.

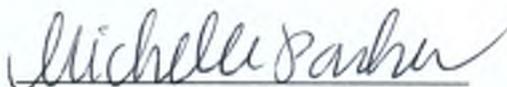
C.R.S. Section	Section this Code
tit. 31	<u>11-3-2</u> 11-4-16

Section 13. This ordinance shall take effect upon its passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 12th day of February, 2018.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26th day of February, 2018.

ATTEST:

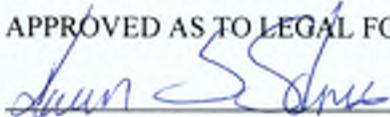


City Clerk



Mayor

APPROVED AS TO LEGAL FORM:



City Attorney's Office